

## **FACT SHEET**

### **OTHER SOLID WASTE INCINERATORS: NEW SOURCE PERFORMANCE STANDARDS and EMISSION GUIDELINES – DIRECT FINAL RULE: TECHNICAL CORRECTION**

#### **ACTION**

- On December 16, 2005, the U.S. Environmental Protection Agency promulgated standards of performance for new stationary sources (NSPS) and emission guidelines (EG) for existing sources: “other” solid waste incineration (OSWI) units.
- This direct final rule corrects an inadvertent error to the opacity test averaging time presented in the tables to the December 16, 2005 final rules.
- The final OSWI rules require opacity be measured as a 6-run average (1-hour minimum sample time per run).
- EPA intended to apply an averaging and test run time that was consistent with other Clean Air Act Section 129 source category NSPS and emission guidelines. The opacity averaging time, which has become the Agency standard under NSPS and EG using EPA Method 9, was a 6-minute average, observed over three 1-hour test runs (i.e., thirty 6-minute averages). We are correcting the emission limitations tables in the EG and NSPS to reflect this averaging time.
- EPA is taking direct final action to make this technical correction to the EG and NSPS for other solid waste incineration (OSWI) units.
- Because EPA views the correction as noncontroversial and does not anticipate adverse comments, the Agency is issuing this rule as a direct final rule with a parallel proposal. If EPA receives adverse comment on the parallel proposal, the Agency will withdraw the direct final rule and respond to the comment in a final rule amendment.
- This direct final rule does not alter the stringency of the promulgated rules and has no adverse health or environmental impacts.
- The direct final rule technical correction is effective 60 days after publication of the direct final rule in the *Federal Register*.

#### **FOR MORE INFORMATION**

- Interested parties can download the notice from EPA's website on the Internet under recently signed rules at the following address: [www.epa.gov/ttn/oarpg/ramain.html](http://www.epa.gov/ttn/oarpg/ramain.html).
- Today's proposed action and other background information are also available electronically at [www.regulations.gov](http://www.regulations.gov), EPA's electronic public docket and comment system.

- Today's proposed action and other background information are also available at the EPA Docket Center (EPA/DC) Public Reading Room. However, due to recent flooding, the center is currently under construction, and public access will be limited until November 6, 2006. Please visit the following website frequently (<http://www.epa.gov/epahome/dockets.htm>) in order to receive the latest status concerning access to the Public Reading Room and access to docket materials during the construction period. Please call (202) 566-1744 between the hours of 8:30 A.M. and 4:30 P.M. Eastern Standard Time for more information.
- HOW TO COMMENT: Comments will be accepted for 30 days beginning when this proposal is published in the Federal Register. All comments should be identified by Docket ID No. EPA-HQ-OAR-2003-0156 and submitted by one of the following methods:
  - [www.regulations.gov](http://www.regulations.gov);
  - E-mail ([a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov));
  - Facsimile (202) 566-1741 (**temporarily out of service**);
  - Mail (Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460); or
  - Hand delivery (Air and Radiation Docket and Information Center, Environmental Protection Agency, Room B-102, 1301 Constitution Avenue, NW, Washington, DC).
- For further information about the notice of reconsideration, contact Ms. Martha Smith of EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Natural Resources and Commerce Group at (919) 541-2421 or by e-mail at [smith.martha@epa.gov](mailto:smith.martha@epa.gov).